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EXAMINER	
WONG, JEFFREY KEITH	
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3714	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/833,448	LETOVSKY ET AL.	
	Examiner	Art Unit	
	Jeffrey K. Wong	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 dec 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-23 and 28-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-23 and 28-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/20/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-2, 4-6, 9, 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (US 6,508,709) in view of Hedges et al. (US 4,467,424). Regarding claims 1, 11-15 Karmarkar discloses an interactive gaming system comprising a player station (54), being read as a user computer, a data network (50) in communication with said player station, a gaming server (34) in communication with said data network (50). Karmarkar discloses remote player terminals including remote processors, which perform appropriate commands such as control functions, 1:26-27, 7:58-60, 17:43-67, 18:1-57. Karmarkar further discloses transferring data using data compression and encryption, 2:12-36, 12:1-18. Although Karmarkar uses encryption and compression techniques to transfer data, he fails to disclose providing a bandwidth and transmission detection device in his system. Instead, Karmarkar discloses in column 2:12-36 data compression using a video codec and that various communication pathways and protocols are used where the path for multimedia video source needs to be a specific bandwidth along with a specified bandwidth for the return path teach the importance of knowing the available bandwidth.

Throughout the disclosure of Karmarkar there is a teaching that bandwidth is important

and the necessary bandwidth must be available. Additionally, Karmarkar discloses that any method of reducing the bandwidth for performance is to be used. Furthermore, the knowledge generally available to one of ordinary skill in the art would lead one to understand that since bandwidth is important to the performance of the system then measurement and testing of the bandwidth, which is well known in the art, would be paramount to the operation of the device and provide adequate motivation to find a system where such measurements are made. In an analogous invention Hedges et al. teaches a remote gaming system and a method for determining network conditions in which he includes a bandwidth and transmission detection device, see figure 8-42. One of ordinary skill in the art would recognize, especially after Karmarkar's emphasis of the importance of bandwidth, that remote gaming machines must have the ability to communicate nearly instantly to maintain a player's interest in the remote gaming opportunity. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the remote gaming system described by Hedges et al. with the distributed multimedia gaming system of Karmarkar.to ensure bandwidth and transmission speed harmony between remote machine and the gaming server over the data network.

Moreover, as further evidence, Hedges et al. suggests using a Bell telephone system modem or another appropriate modem specified by CCITT. An example is the Bell 212 A modem as described on http://www.arcelect.com/bell.htm is comparable to the ITU V.22 communication protocol. This protocol as specified on http://www.arcelect.com/vspecifi.htm teaches a two wire modem for use in a general

telephone network. The modem is set up for 2.4 Kbps with a 1.2 Kbps fall back. The modem is itself a bandwidth and transmission detection device as the modem will optimize between itself and another modem in the network to decide the speed at which the modems should to communicate. Hedges et al. also shows an encryption device in Figure 8-90. Modems are well known to use compression techniques in communication to improve bandwidth. Many compression formats are known in the art and specified for use by CCII-F. The V.42 CCITT format is specified as generally included in dialup modems and a well known modem compression technique. One of ordinary skill in the art is motivated to combine the remote gaming system of Hedges et al. with the distributed multimedia gaming system of Karmarkar along CCITT standards as technology improves providing higher speed communication. This faster communication, as taught by Karmarkar, enables high data transfers such as video information to maintain a player's interest at a remote gaming site.

Regarding claim 2, Karmarkar discloses using video cameras (60,70,80) in communication with the gaming server

Regarding claim 4, Karmarkar discloses theremote processor performing appropriate routing functions, 7:58-60.

Regarding claim 5, archiving; by definition, means a collection containing records, documents, or other materials of historical interest. Although Karmarkar fails to disclose

including an archive server in his system, Karmarkar discloses storing gaming episodes for later playback, 2:37-56, 9:66-67, 10:1-7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to note that Karmarkar is using an archiving unit to store and save the recorded games for later use. Accordingly, Karmarkar is cited to teach the archiving server claimed by the instant invention.

Regarding claim 6, Karmarkar discloses using appropriate time stamping feature in his system, 25:21-37. Including the time-stamping unit in the archiving server would have been a matter of design choice.

Regarding claim 9, Karmarkar discloses transmitting information in real time, 13:33-36.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (US 6,508,709) in view of Hedges et al. et al. (US 4,467,424) and further in view of Watt (US 5,781,532).

Regarding claim 7, Karmarkar in view of Hedges et al. disclose the claimed invention as substantially as discussed above. Karmarkar in view of Hedges et al. fail to disclose a relay switching and serial data interface in communication with the gaming server and the wagering device. In an analogous network interface, Watt teaches a network system providing a relay switching and data link interface, 1:46-2:15. One of ordinary skill in the art would recognize that such a switching mechanism and serial data interface is advantageous in a remote gaming application because it would prioritize players. That

is to say, when multiple players are connected to the gaming server, one player (ideally on the player's turn) connection would be prioritized above the connections of the other players until the player had finished his turn. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a switching relay and serial data interface in a network system as taught by Watt into the Karmarkar in view of Hedges et al. type system in order to reduce system congestion in the system by prioritizing players when using limited bandwidth.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (US 6,508,709) in view of Hedges et al. et al. (US 4,467,424) and further in view of Khosla (6,080,063).

As per claim 8, Karmarkar in view of Hedges et al. disclose the claimed invention as substantially as explained above. Karmarkar in view of Hedges et al. fail to disclose a gaming server comprising a file compression codec filter. Khosla teaches a network system allowing remote players to participate in a live gaming event. Khosla further teaches providing sophisticated compression and filtering functions, 4:44- 45. One of ordinary skill in the art would realize sophisticated compression and filtering functions would allow for increased quality of transmitted video. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the filtering functions taught by Khosla in the Karmarkar in view of Hedges et al. type system to increase the quality of the live video and the quantity of the video in a given time. It is also noted that Karmarkar discloses using data compression with a video Codec using,

for example, J/MPEG and other application-specific compression techniques suggesting to one of ordinary skill in the art that Karmarkar, although not specifically mentioned, does employ sophisticated compression and filtering functions.

5. Claims 3, 16-20, 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (US 6,508,709) in view of Hedges et al. (US 4,467,424) and further in view of Lvov (6,117,011).

Regarding claims 3, 16-20, 32-33 Karmarkar in view of Hedges et al. disclose the claimed invention as substantially as explained above. Karmarkar in view of Hedges et al. fail to disclose accessing personal financial information through the remotely located computer. Lvov teaches a network system capable of settling financial information using electronic communication, 4:36- 44. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the electronic financial communication as taught by Lvov into the Karmarkar in view of Hedges et al. type system in order to allow betting of real money through player's bank accounts. As per claim 17, Lvov allows players to use their bank or gaming account to wager, 10:40-43.

As per claims 18, 19, Lvov teaches the financial communication between a player's gaming account and a player's deposit account, such as the transfer of gains or losses, 10:14-25, 62-64, 11:17-23.

As per claim 20, Lvov teaches logging all gaming events and enabling players to check the validity of all gaming actions to prevent possibility of fraud, 11: 36-38.

6. Claims 21-23 are rejected under 35 U.S.G. 103(a) as being unpatentable over Karmarkar in view of Hedges et al. and further in view of Graves (5,380,067).
As per claim 22, Karmarkar in view of Hedges et al. disclose the claimed invention as substantially as shown above. Karmarkar in view of Hedges et al. are silent on using a human proxy. Graves teaches a system where a proxy player assists a remote player/client at a gaming site. 2:37-39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a proxy player as taught by Graves in the Karmarkar in view of Hedges et al.'s system in order to participate on behalf of a player in a game in the event of a computer or network malfunction.

As per claims 21, 23, Graves teaches a system comprising entering commands into the device using proxy, 2:39-59.

7. Claims 28-31 rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar in view of Hedges et al. and further in view of Vuong (US 5,762,552).
As per claim 28-29,31, Karmarkar in view of Hedges et al. disclose the claimed invention as substantially as shown above. Karmarkar in view of Hedges et al. fail to disclose polling wagering devices for availability. Vuong teaches an interactive real-time network gaming system allowing remote players to participate with a feature to allow

players to find open gaming opportunities 8:14-19,9:58. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an interface to direct players to available gaming opportunities as taught by Vuong into the Karmarkar in view of Hedges et al. type system in order to increase revenues by allowing players to find machines faster.

As per claim 30, Vuong further teaches a network manager capable of tracking the current availability of active gaming tables and Vuong teaches using visual representations to select wagering device, 10:30-47.

Response to Arguments

8. Applicant's arguments filed 12/26/2007 have been fully considered but they are not persuasive.

9. Applicant alleges that neither Karmarkar nor Hedges disclose or suggest an interactive gaming system that includes a user computer that remotely controls a slot machine previously approved by a gaming regulator for the locale in which the slot machine is located. The Examiner disagrees. Hedges discloses in the Abstract of how player stations, which contain microprocessors, which is, thus, viewed as a user computer, that can allows users to participate in a selected one of a plurality of wagering games as well as in controlling the operation of the live game display.

10. Applicant alleges that Hedges also does not disclose a remote gaming system for slot machines; only roulette, craps, and keno. Therefore, neither Karmarkar nor

Hedges, individually or in combination, describe the interactive gaming system of claim 1. The Examiner disagrees. It is disclosed in the Hedges' Abstract that the remote gaming system can be used with a gambling establishment with wagering games. While it is true that Hedges discloses of the use for craps, roulette, and keno, it is well known in the art that slot machines is a wagering game that is analogous with that of craps, roulette, and keno. It should also be noted that Hedges' system can and would be implemented with slot machines because of predictable results.

11. Applicant alleges that Claim 11 is directed to an interactive gaming system that includes means for communicating between a remotely located computer and a slot machine previously approved by a gaming regulator for the locale in which the slot machine is located; means for entering commands into the computer to operate and control the slot machine; and means for detecting a bandwidth and transmission, wherein transmissions between the remotely located computer and the slot machine are optimized using encryption and compression techniques.

For the reasons discussed above, Applicants respectfully submit that neither Karmarkar nor Hedges, individually or in combination, describe the gaming system of claim 11. The Examiner disagrees. It is well known in the art that slot machines in a casino is approved by a gaming regulator for the locale in which the slot machine is located. Hedges discloses in the abstract means of entering commands for controlling the operation of the live game display. While it is true that Hedges discloses of the use for craps, roulette, and keno, it is well known in the art that slot machines is a wagering game that is analogous with that of craps, roulette, and keno. It should also be noted

that Hedges' system can and would be implemented with slot machines because of predictable results.

12. Applicant alleges that Claim 12 is directed to a method that also includes detecting the player's connection bandwidth and transmission speed, wherein transmissions between the remotely located computer and the slot machine are optimized using encryption and compression techniques.

For the reasons discussed above, Applicants respectfully submit that neither Karmarkar nor Hedges, individually or in combination, describe the method of claim 12. The Examiner disagrees. Karmarkar discloses in Col 2, lines 12-36 of data compression using video codec. It is well known in the art that bandwidth and transmission speeds need to be detected in order to allow proper communications on a networked system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey K. Wong whose telephone number is (571)270-3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Primary Examiner, Art Unit 3714

JKW